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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

LHF PRODUCTIONS, INC,

Plaintiff,

vs.

DONTE JONES,

Defendant.

**DONTE JONES'S ANSWER TO
PLAINTIFF'S AMENDED
COMPLAINT**

2:16-cv-860

Judge Dustin B. Pead

**DEFENDANT'S ORIGINAL ANSWER
AND SEPARATE DEFENSES**

Defendant, Donte Jones, by way of Answer to Plaintiff's Amended Complaint, says:

Introduction

1. No factual allegations are alleged against this Defendant in paragraph 1 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 1 of the Amended Complaint and therefore denies the same.

2. No factual allegations are alleged against this Defendant in paragraph 2 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 2 of the Amended Complaint and therefore denies the same

3. No factual allegations are alleged against this Defendant in paragraph 3 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 3 of the Amended Complaint and therefore denies the same.

4. Defendant denies that he engaged in any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 4 of the Amended Complaint and therefore denies the same.

Jurisdiction

5. No factual allegations are alleged against this Defendant in paragraph 5 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph.

6. Defendant admits this Court has subject matter jurisdiction.

7. Defendant Admits he resides within this District. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 7 of the Amended Complaint and therefore denies the same.

Parties

A. Plaintiff LHF Productions, Inc. and its Copyright

8. No factual allegations are alleged against this Defendant in paragraph 8 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 8 of the Amended Complaint and therefore denies the same.

9. No factual allegations are alleged against this Defendant in paragraph 9 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 9 of the Amended Complaint and therefore denies the same.

10. No factual allegations are alleged against this Defendant in paragraph 10 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 10 of the Amended Complaint and therefore denies the same.

11. No factual allegations are alleged against this Defendant in paragraph 11 of the Amended Complaint. As such, this Defendant is not obligated to Admit or Deny the allegations in this paragraph. To the extent this paragraph contains factual allegations against this Defendant, Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 11 of the Amended Complaint and therefore denies the same.

12. Defendant denies that he engaged in any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 12 of the Amended Complaint and therefore denies the same.

Defendants

13. Defendant denies that he engaged in any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 13 of the Amended Complaint and therefore denies the same.

14. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 14 of the Amended Complaint and therefore denies the same.

15. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 15 of the Amended Complaint and therefore denies the same.

16. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 16 of the Amended Complaint and therefore denies the same.

17. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 17 of the Amended Complaint and therefore denies the same.

18. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 18 of the Amended Complaint and therefore denies the same.

19. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 19 of the Amended Complaint and therefore denies the same.

20. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 20 of the Amended Complaint and therefore denies the same.

21. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 21 of the Amended Complaint and therefore denies the same.

22. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 22 of the Amended Complaint and therefore denies the same.

23. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 23 of the Amended Complaint and therefore denies the same.

24. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 24 of the Amended Complaint and therefore denies the same.

25. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 25 of the Amended Complaint and therefore denies the same.

26. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 26 of the Amended Complaint and therefore denies the same.

27. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 27 of the Amended Complaint and therefore denies the same.

28. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 28 of the Amended Complaint and therefore denies the same.

29. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 29 of the Amended Complaint and therefore denies the same.

30. Defendant admits the allegations contained in paragraph 30.

31. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 31 of the Amended Complaint and therefore denies the same

32. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 32 of the Amended Complaint and therefore denies the same.

33. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 33 of the Amended Complaint and therefore denies the same.

34. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 34 of the Amended Complaint and therefore denies the same.

35. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 35 of the Amended Complaint and therefore denies the same.

36. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 36 of the Amended Complaint and therefore denies the same.

37. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 37 of the Amended Complaint and therefore denies the same.

PEER-TO-PEER NETWORKS AND THE USE OF BITTORENT PROTOCOL

38. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 38 of the Amended Complaint and therefore denies the same.

39. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 39 of the Amended Complaint and therefore denies the same.

40. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 40 of the Amended Complaint and therefore denies the same.

41. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 41 of the Amended Complaint and therefore denies the same.

42. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 42 of the Amended Complaint and therefore denies the same.

43. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 43 of the Amended Complaint and therefore denies the same.

COMPUTER FORENSIC IDENTIFICATION OF BITTORRENT INFRINGEMENT

44. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 44 of the Amended Complaint and therefore denies the same.

45. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 45 of the Amended Complaint and therefore denies the same.

46. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 46 of the Amended Complaint and therefore denies the same.

47. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 47 of the Amended Complaint and therefore denies the same.

48. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 48 of the Amended Complaint and therefore denies the same.

49. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 49 of the Amended Complaint and therefore denies the same.

50. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 50 of the Amended Complaint and therefore denies the same.

51. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 51 of the Amended Complaint and therefore denies the same.

52. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 52 of the Amended Complaint and therefore denies the same.

53. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 53 of the Amended Complaint and therefore denies the same.

54. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 54 of the Amended Complaint and therefore denies the same.

55. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 55 of the Amended Complaint and therefore denies the same.

56. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 56 of the Amended Complaint and therefore denies the same.

57. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 57 of the Amended Complaint and therefore denies the same.

58. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 58 of the Amended Complaint and therefore denies the same.

59. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 59 of the Amended Complaint and therefore denies the same.

60. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 60 of the Amended Complaint and therefore denies the same.

61. Defendant realleges his answers to the previous paragraphs.

62. Defendant is without sufficient information to form a belief as to the allegations contained in paragraph 62 of the Amended Complaint and therefore denies the same.

63. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 63 of the Amended Complaint and therefore denies the same.

64. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 64 of the Amended Complaint and therefore denies the same.

65. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 65 of the Amended Complaint and therefore denies the same.

66. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 66 of the Amended Complaint and therefore denies the same.

67. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 67 of the Amended Complaint and therefore denies the same.

68. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 68 of the Amended Complaint and therefore denies the same.

69. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 69 of the Amended Complaint and therefore denies the same.

70. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 70 of the Amended Complaint and therefore denies the same.

71. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 71 of the Amended Complaint and therefore denies the same.

72. Defendant Denies he committed any copyright infringement. Defendant is without sufficient information to form a belief as to the remaining allegations contained in paragraph 72 of the Amended Complaint and therefore denies the same.

WHEREFORE, Plaintiff's Amended Complaint against Defendant should be dismissed in its entirety with prejudice.

DEMAND FOR A JURY TRIAL

Defendant hereby demands a trial by jury on all issues so triable.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to join a party – the actual infringer – without whom this action cannot proceed. Defendant reserves the right to move to dismiss and ask for attorney's fees due to Plaintiff's failure to join an indispensable party.

2. On information and belief, Plaintiff has received thousands of dollars in settlements from Doe defendants in similar cases for alleged copyright infringement in their participation in the BitTorrent swarm in which Plaintiff alleges Defendant participated. Defendant is entitled to a set-off of all monies collected by Plaintiff for the same Work and alleged BitTorrent swarm(s) Plaintiff has alleged Defendant was a participant in, in which Plaintiff has settled, or will settle in the future with other individuals.

3. Plaintiff's Complaint fails to state a claim upon which relief can be granted as it fails to adequately state facts, rather than conclusions, establishing any relation between the alleged BitTorrent swarm(s) and the IP address Plaintiff asserts is related to Defendant. Moreover, although Defendant is the subscriber to the IP address 76.27.75.113 on June 2, 2016, Plaintiff has not listed any facts which demonstrate the Defendant was the actual infringer, instead of simply the account holder.

Respectfully submitted,

DATED: January 23, 2017

/s/ Byron L. Ames

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January, 2017 I electronically filed the foregoing
DONTÉ JONES'S ANSWER TO AMENDED COMPLAINT and caused it to be served to the following
via the court's EM/ECF System:

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/s/Debbie Anderson
An Employee of AMES & AMES, LLP